

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

525.1089-PCT-US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/560368

INTERNATIONAL APPLICATION NO.

PCT/US2004/018463

INTERNATIONAL FILING DATE

10 June 2004

PRIORITY DATE CLAIMED

11 June 2003

TITLE OF INVENTION

PHARMACEUTICAL DOSAGE FORMS HAVING OVERT AND COVERT MARKINGS FOR IDENTIFICATION AND AUTHENTICATION

APPLICANT(S) FOR DO/EO/US

KETTINGER, Frederick R.; FIELDS, Charles D. and FARRELL, Thomas P.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 733 808 029 US**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|---|--|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; margin-top: 5px;">10/560368</div> | INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 5px;">PCT/US2004/018463</div> | ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 5px;">525.1089-PCT-US</div> |
| 23. Other items or information: <div style="margin-left: 20px;">Acknowledgment of Postcard</div> | | |
| The following fees have been submitted: | | CALCULATIONS PTO USE |
| 24. <input checked="" type="checkbox"/> Basic national fee \$300 | | \$ 300.00 |
| 25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 All other situations. \$200 | | \$ 0.00 |
| 26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500 | | \$ 500.00 |
| TOTAL OF 24, 25 and 26 = | | \$ 800.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) |
| - 100 = | 0 /50 = | 0 |
| | | x \$250.00 |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | \$ |
| CLAIMS | NUMBER FILED | NUMBER EXTRA |
| Total claims | 24 - 20 = | 4 |
| Independent claims | 2 - 3 = | 0 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> | | + \$360.00 |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 1,360.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | |
| SUBTOTAL = | | \$ 1,360.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | |
| TOTAL NATIONAL FEE = | | \$ 1,360.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | |
| TOTAL FEES ENCLOSED = | | \$ 1,360.00 |
| | | Amount to be \$ |
| | | Amount to be \$ |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2275. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael N. Mercanti
LUCAS & MERCANTI, LLP
475 Park Avenue South
New York, New York 10016
Phone: 212-661-8000
FAX: 212-661-8002


SIGNATURE

Michael N. Mercanti

NAME

33,966

REGISTRATION NUMBER

December 9, 2005

DATE

UNITED STATES PATENT & TRADEMARK OFFICE

Examiner: Unknown

Art Unit: 1714

Re: Application of: HAGTING, Joke Geesje, et al.

Serial No.: 11/266,598

Filed: November 3, 2005

For: **FUNCTIONALIZED DYES AND USE THEREOF IN
OPHTHALMIC LENS MATERIAL**

**ASSERTION OF SMALL ENTITY STATUS
AND REQUEST FOR REFUND**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

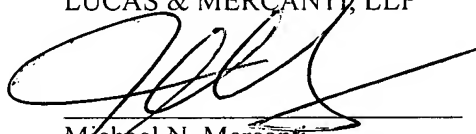
December 9, 2005

Sir:

Applicants hereby claim small entity status for this application and request that a refund for one-half of the filing fees paid at the time of filing of the application \$1,360.00 or \$680.00 be refunded to the undersigned attorney's deposit account 02-2275. This request is being made within one month of the filing date.

Respectfully submitted,

LUCAS & MERCANTI, LLP


Michael N. Mercanti
Registration No. 33,966

LUCAS & MERCANTI, LLP
475 Park Avenue South
New York, NY 10016
Phone: 212-661-8000
Fax: 212-661-8002

"Express Mail" mailing label no. EV 733 808 029 US

Date of Deposit: December 9, 2005

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450
LUCAS & MERCANTI, LLP

By: 

Carla Santos

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
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- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael N. Mercanti
LUCAS & MERCANTI, LLP
475 Park Avenue South
New York, New York 10016
Phone: 212-661-8000
FAX: 212-661-8002

SIGNATURE

Michael N. Mercanti

NAME

33,966

REGISTRATION NUMBER

December 9, 2005

DATE

 **COPY**

10/560368

IAP9 Rec'd PCT/PTO 09 DEC 2005

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): KETTINGER, Frederick R., et al.

Docket No.

525.1089-PCT-US

Application No.

To be assigned

Filing Date

Herewith

Examiner

Unknown

Customer No.

20311

Group Art Unit

Unknown

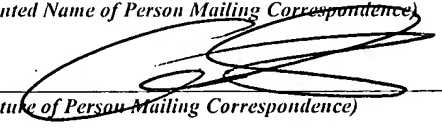
Invention: PHARMACEUTICAL DOSAGE FORMS HAVING OVERT AND COVERT MARKINGS FOR IDENTIFICATION AND AUTHENTICATION

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Form PTO-1390 (3 pages, page 2 in duplicate)

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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
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*(Signature of Person Mailing Correspondence)*EV 733 808 029 US*("Express Mail" Mailing Label Number)*

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10/560368

10/560368 PCT/PTO 09 DEC 2005

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): KETTINGER, Frederick R., et al.

Docket No.

525.1089-PCT-US

Application No.

To be assigned

Filing Date

Herewith

Examiner

Unknown

Customer No.

20311

Group Art Unit

Unknown

Invention: PHARMACEUTICAL DOSAGE FORMS HAVING OVERT AND COVERT MARKINGS FOR IDENTIFICATION AND AUTHENTICATION

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December 9, 2005

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